

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

DAMIAN BAUSENWEIN

Civil Action No.

Plaintiff,

3:19-cv-00421-DNH-DEP

vs.

SNAP-ON INCORPORATED  
t/a SNAP-ON TOOLS  
and  
SNAP-ON EQUIPMENT, INC.

Defendants/Third-Party Plaintiffs

vs.

B&D EXHAUST WAREHOUSE, INC.

Third-Party Defendant.

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**STIPULATION OF DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL  
PROCEDURE 41(C)**

It is hereby stipulated and agreed by all parties that the Third-Party Complaint by Defendants Snap-on Incorporated and Snap-on Equipment against Third-Party Defendant B&D Exhaust Warehouse, Inc. is dismissed. It is further stipulated and agreed that the counterclaim filed by B&D Exhaust Warehouse, Inc. against Defendants Snap-on Incorporated and Snap-on Equipment is likewise dismissed. It is further stated that no party hereto is an infant or incompetent.

**COZEN O'CONNOR**

**CHERUNDOLO LAW FIRM, PLLC**

/s/ Christopher C. Fallon, Jr.

/s/ Robin C. Zimpel-Fontaine

Christopher C. Fallon, Jr., Esquire  
*Attorney for Plaintiff*

Robin C. Zimpel-Fontaine, Esquire  
*Attorney for Plaintiff*

**BAXTER SMITH & SHAPIRO, P.C.**

/s/ Robert C. Baxter

Robert C. Baxter, Esquire  
*Attorney for Third-Party Defendant*  
*B&D Exhaust Warehouse, Inc.*

**RICCI TYRRELL JOHNSON & GREY**

/s/ John E. Tyrrell

John E. Tyrrell, Esquire  
*Attorney for Defendants*  
*Snap-on Incorporated and*  
*Snap-on Equipment*

**PILLINGER MILLER TARALLO, LLP**

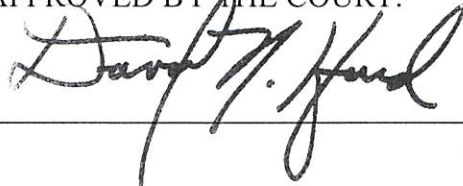
/s/ Kenneth A. Krajewski

Kenneth A. Krajewski, Esquire  
*Attorney for Defendants*  
*Snap-on Incorporated and*  
*Snap-on Equipment*

Dated:

1-14-21

APPROVED BY THE COURT:

  
\_\_\_\_\_ J.